



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

BUHR, et al.

Serial No. 10/551,049

Group Art Unit: 1626

Filed: September 27, 2005

Examiner: GRAZIER, N.

For: **CYCLIC BENZIMIDAZOLES**

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars: [NOTE: One only of items a, b, c, and d must be checked.]

☐ a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

☒ b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.

The enclosed statement is accompanied by [check one]:

☐ i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or

☒ ii. a check in the amount required by 37 C.F.R. 1.17(p).

☐ c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.

☐ Certification report(e) below; and 06/07/2007 SZEWDIE1 00000044 10551049

☐ a check in the amount as required by 37 C.F.R. 1.17(p). 100.00 OP

☐ d. The enclosed statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.

☐ e. Certification [Check one] [Certification is required only if box (b) (i) or box (c) is checked.]

☐ I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office

in a counterpart foreign application not more than three months prior to the filing of this statement,

or

[] I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

[] Appropriate certification is attached.

[~~XXX~~] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

[~~XXX~~] g. Copies of the documents are attached herewith with a completed Form PTO-1449.

or

[] Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

and/or

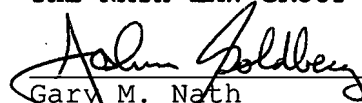
[] Copies of US Patents/Publications not attached as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,

THE NATH LAW GROUP


Gary M. Nath

Reg. No. 26,965

Joshua B. Goldberg

Reg. No. 44,126

Sheldon M. McGee

Reg. No. 50,454

Customer No. 34375

Date: June 6, 2007

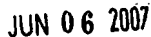
THE NATH LAW GROUP

112 South West Street
Alexandria, VA 22314

Tel: (703) 548-6284

Fax: (703) 683-8396

JBG/SMM\IDS.doc



Serial Number: 10/551,049

Filing Date: September 27, 2005

INFORMATION DISCLOSURE CITATION

Inventor:
BUHR, et al.

Group Art Unit: 1626

U.S. PATENT DOCUMENTS

Exam. Initial		Document Number	Issue Date	Name	Class	Sub- Class	Filing Date

FOREIGN PATENT DOCUMENTS

[illegible]

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	A1	Lanas, et al., "Low-dose aspirin and upper gastrointestinal damage: epidemiology, prevention and treatment", <u>Curr. Med. Res. Opin</u> , 23(1); pp.163-173 (2007).
	A2	Rey, et al., "Use of antisecretory drugs among consumers of non-steroidal anti-inflammatory drugs in the general population", <u>Ailment Pharmacol. Ther.</u> , vol. 24, pp.1585-1592 (2006).
	A3	Pham, et al., "Acid Suppressive Therapy Use on an Inpatient Internal Medicine Service", <u>Ann. Pharmacother.</u> , vol. 40, pp. 1261-1266 (2006).
	A4	Lanza, "A Guideline for the Treatment and Prevention of NSAID-induced Ulcers", <u>The American Journal of Gastroenterology</u> , vol. 93, No. 11 (1998).

Examiner

Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.